

BRIAN J. STRETCH (CABN 163973)
United States Attorney

BARBARA VALLIERE (DCBN 439353)
Chief, Criminal Division

ANDREW F. DAWSON (CABN 264421)
Assistant United States Attorney
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7019
FAX: (415) 436-7234
Andrew.Dawson@usdoj.gov

Attorneys for the United States

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO: CR 15-126 WHA
)	
Plaintiff,)	STIPULATION TO CONTINUE AND
)	[PROPOSED] ORDER
v.)	
)	
DAVID GAITHER)	
)	
Defendant.)	
)	
)	

David Gaither's sentencing hearing has been set for September 20, 2016. Three other co-defendants—Edwin Hetherton, Richard Leyland, and Paul Fink—are currently scheduled to be sentenced on September 27, 2016. As currently scheduled, these four defendants will be the last defendants in the above-captioned case to be sentenced. In light of David Gaither's cooperation with the government and his testimony in the trial of co-defendant John McGaha, the government requests additional time to determine its sentencing recommendation. The government therefore requests that Mr. Gaither's sentencing be continued to a date after the sentencings currently scheduled for September 27, 2016. Counsel for Mr. Gaither agrees that such a continuance would be appropriate. Counsel for the government has been in touch with the probation officer assigned to Mr. Gaither's case, and she has indicated that she expects the final Presentence Report to be released on September 6, 2016.

For these reasons, IT IS HEREBY STIPULATED, by and between the parties to this action, that
STIPULATION TO CONTINUE AND ~~[PROPOSED]~~ ORDER
CR 15-126 WHA

1 the sentencing hearing currently set for September 20, 2016, be continued to October 11, 2016.

2 IT IS SO STIPULATED.

3
4 DATED: August 25, 2016

/s/
ANDREW F. DAWSON
Assistant United States Attorney

5
6 DATED: August 25, 2016

/s/
JONATHAN MCCOY
Counsel for Defendant DAVID GAITHER

1 ~~PROPOSED~~ ORDER

2 For good cause shown, the sentencing hearing for Defendant David Gaither, which is currently
3 set for September 20, 2016, is hereby continued to 2:00pm on October 11, 2016.

4 IT IS SO ORDERED.

5
6 DATED: August 26, 2016.


7 HON. WILLIAM ALSUP
8 UNITED STATES DISTRICT JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28